

# California MEDICAL ASSOCIATION

## NOTICES & REPORTS

### PROPOSED AMENDMENTS TO CONSTITUTION

Amendments to the Constitution of the California Medical Association are required to lie on the table for one year before being voted upon. Six proposed amendments to the Constitution were introduced in the 1962 House of Delegates. Under the terms of the Constitution, these were subject to review by the Reference Committee in the 1962 House of Delegates and will also be reviewed by Reference Committee No. 4 in the 1963 House before being voted upon in that session. In five instances the 1962 Reference Committee made specific recommendations which were adopted by the House and are shown following the proposals.

In some instances the Reference Committee suggested that proposed amendments to the By-Laws, which need lie on the table only twenty-four hours, also be deferred until 1963 because of their association with constitutional amendments on the same subject. In the section on By-Law Amendments following this section, such deferral will be noted.

The following Amendments to the Constitution were offered in 1962, all of them placed on the table for definitive action in 1963.

#### 1962 AMENDMENTS

Six proposed amendments to the Constitution were introduced in the 1962 House of Delegates. They were reviewed by Reference Committee No. 4 of the 1962 House of Delegates and will also be reviewed by Reference Committee No. 4 of the 1963 House. In certain instances the 1962 Reference Committee made certain specific recommendations which were adopted by the House.

##### CONSTITUTIONAL AMENDMENT No. 1

Author: Samuel R. Sherman.  
Representing: The Council.

**Resolved:** That Article I, Section 3 of the Constitution of the California Medical Association as

now written be deleted and this section to read as follows:

"This Association is an organization composed of the component medical societies and their members, the House of Delegates, the Council, the Scientific Board, the Scientific Assembly, Bureaus, Commissions and Standing Committees."

##### CONSTITUTIONAL AMENDMENT No. 2

Author: Samuel R. Sherman.  
Representing: The Council.

**Resolved:** That Article III, Section 1, be amended by deleting the word "and" at the end of subsection (c), and by adding a new subsection (d) to read as follows:

"(d) Ex-officio with the right to vote, eighteen (18) members of the Scientific Board selected as provided in the Bylaws, and"

The present subsection (d) shall be redesignated (e).

##### CONSTITUTIONAL AMENDMENT No. 3

Author: Samuel R. Sherman.  
Representing: The Council.

**Resolved:** That Article III, Part B, Section 9,

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SAMUEL R. SHERMAN, M.D. . . . . President-Elect  
JAMES C. DOYLE, M.D. . . . . Speaker  
IVAN C. HERON, M.D. . . . . Vice-Speaker  
CARL E. ANDERSON, M.D. . . . . Chairman of the Council  
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of the Constitution of the California Medical Association shall be amended by inserting a new subparagraph (c) and redesignating the present subparagraph (c) as (d), and the present subparagraph (d) as (e). The new subparagraph (c) shall be inserted immediately after subparagraph (b) and shall read as follows:

"(c) One (1) member of the Executive Committee of the Scientific Board to be elected by the Executive Committee of that body from representatives of the scientific sections or members-at-large."

#### CONSTITUTIONAL AMENDMENT No. 4

(Printed with Action following Constitutional Amendment No. 5)

#### CONSTITUTIONAL AMENDMENT No. 5

Author: Dwight L. Wilbur.

**Resolved:** That Article III, Part A, Section 1, be amended by deleting the word "and" at the end of subsection (c), and by adding a new subsection (d) to read as follows:

"(d) Ex-officio, with the right to vote, the members of the Scientific Board, and"

The present subsection (d) should be redesignated as (e).

**ACTION:** *The House adopted a motion directing the Council to appoint a committee to make a study and submit a report to the delegates and alternates at least thirty days before the next annual meeting concerning the membership requirements, voting procedures and organization of the scientific sections contemplated in Constitutional Amendments Nos. 1, 2, 3 and 5.*

#### CONSTITUTIONAL AMENDMENT No. 4

Author: Los Angeles delegation.

WHEREAS, the Council of the C.M.A. is an important group in carrying on the activities of the C.M.A.; and

WHEREAS, it is important that the members of the Council be responsive to the desires of the majority of the members of the C.M.A.; and

WHEREAS, a democratic organization provides a vote to all its members; now, therefore, be it

**Resolved:** That the Constitution of the C.M.A., Article III, Part B, Section 11, be amended to read as follows:

##### "SECTION 11—Election of Councilors

"District Councilors shall be elected by the vote of the members, entitled to vote, from each District, in the manner and at the time specified in the By-laws."  
and be it further

**Resolved:** That the Bylaws of the C.M.A. be amended to provide for the election of District Councilors in accordance with this Constitutional amendment.

**ACTION:** *Constitutional Amendment No. 4 (together with Bylaw Amendment No. 12 printed under 1962 Bylaw Amendments) was referred to a special ad hoc committee to be appointed by the Speaker with instructions to study the proposals and make a report to the House of Delegates at its next annual session.*

#### CONSTITUTIONAL AMENDMENT No. 6

Author: Allyn J. McDowell.

Representing: Los Angeles.

**Resolved:** That the Constitution of the California Medical Association be amended by adding to Article I, Section 2, the following:

"This Association shall not have the right to enter into a contract with any person, firm, or agency of any kind with respect to the practice of medicine or fees for such practice."

### BYLAW AMENDMENTS FOR ACTION IN 1963

Two proposed amendments to the By-Laws introduced in the 1962 House of Delegates were, on recommendation of the Reference Committee and vote of the House, deferred for consideration until 1963. These are shown here as introduced in 1962 and as identified, numerically, in the 1962 meeting.

The Reference Committee also suggested that a special committee be established, to review these deferred amendments. This committee, which has been established by the Speaker, will review all amendments to the Constitution and the By-Laws which relate to the structure of the Association.

Shown below are the amendments to the By-Laws introduced in 1962 and deferred for action in 1963.

#### BYLAW AMENDMENT No. 12

Author: Los Angeles delegation.

WHEREAS, the Council of the C.M.A. is an important group in carrying on the activities of the C.M.A.; and

WHEREAS, it is important that the members of the Council be responsible to the desires of the majority of the members of the C.M.A.; and

WHEREAS, a democratic organization provides a vote to all its members; now, therefore, be it

**Resolved:** That the Bylaws of the C.M.A., Chapter VIII, Section 6 and Section 6.5 be amended to read as follows:

**"SECTION 6—Election of District Councilors in Districts Having One or More Councilors**

"The members of each component society shall elect the number of District Councilors to which the component society is entitled. At least sixty (60) days prior to the next scheduled session of the House of Delegates, the Secretary of each component society shall forward to the Secretary of the Association, on forms provided by the Association, the names and addresses of those District Councilors, so elected, and shall certify thereon, the term of service of each individual Councilor.

"District Councilors shall be elected, by the districts, at the same time and manner that Delegates and Alternates to the House of Delegates of the Association are elected by their respective component societies.

"Districts, in which Councilor vacancies are about to occur, shall, by secret ballot and majority vote, of the members of the district eligible to vote, and voting, elect a District Councilor to fill each vacancy, from such district, to serve for the ensuing term.

"Where new offices are created under the terms of Article III, Part B, Section 9(a) of the Constitution, each such new office shall be numbered serially with those already existing, and shall carry an initial term extending to the same date as has been previously established for offices in the same numerical sequence, heretofore established, and thereafter for a term of three (3) years."

and be it further

**Resolved:** That Section 6.5 of Chapter VIII of the Bylaws of the C.M.A. be repealed and stricken from the Bylaws.

**ACTION:** Bylaw Amendment No. 12 (together with Constitutional Amendment No. 4 printed under 1962 Constitutional Amendments) was referred to a special ad hoc committee to be appointed by the Speaker with instructions to study the proposals and make a report to the House of Delegates at its next annual session.

**BYLAW AMENDMENT No. 13**

Author: Allyn J. McDowell.

Representing: Los Angeles.

WHEREAS, the C.M.A. Bylaws have heretofore provided for a referendum vote of all the members only at the discretion of either the Council or the House of Delegates; and

WHEREAS, these two referring bodies constitute the very bodies concerning whose decisions any appeal of the members might be needed or sought; and

WHEREAS, it is inconsistent with democratic principles that members of this Association should thus in effect have no right of appeal concerning actions of the Council or House of Delegates; now, therefore, be it

**Resolved:** That Chapter XII, Section 1 be amended by adding the following:

"Any action taken by the Council or by the House of Delegates may be referred to all of the active members of the Association for their vote for or against repeal of such action if a petition requesting such a referendum is filed with the president of the Association within sixty days after the action is taken and if the petition is signed by a number of active members amounting to more than twice the number of voting delegates at the prior meeting of the House of Delegates. This number of petitioners shall constitute a referring body"; and be it further

**Resolved:** That Chapter XII, Section 2 be amended by adding the following:

"Whenever a referendum vote is initiated through a petition of appeal the petition shall name an active member as the initiator and that member shall have the privilege of selecting or composing a written argument of 1,000 words or less to be presented with the ballot on behalf of the petitioners."

**ACTION:** Referred to a special ad hoc committee to be appointed by the Speaker with instructions to study the proposals and make a report to the House of Delegates at its next Annual Session.

